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&
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FAX TRANSMITTAL

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FEB 03 2006

DATE: February 3, 2006
TO: USPTO - Office of Initial Patent Examinations
FAX: 571.273.8300

RE: Second Request for Corrected Filing Receipt

FROM: Annie Zohlen (Attorney of Record William D. Wiese)

WE ARE SENDING 8 PAGES, INCLUDING THIS COVER PAGE.

Serial No.: 10/733797

Filed: December 11, 2003

1. Copy of initial Filing Receipt with error noted
2. Copy of corrected Filing Receipt with error noted (misspelling of the inventor's name Johnhtson should be Johnston)
3. Copy of combined Declaration and Power of Attorney with correct spelling of inventor name.
4. Copy of Power of Attorney submitted with application

Please amend the Filing Receipt to correct the spelling of the first inventor's last name, Thomas Johnston. The attached Combined Declaration and Power of Attorney reflect the proper spelling.

Additionally, please note the Power of Attorney has changed. We would appreciate recordation of the new Power of Attorney as indicated in the attached documents.

Thank you for your assistance.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

Annie Zohlen

Date 2/3/06

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APPL NO.	FILING OR 371 (a) DATE	ART UNIT	FIL FEE RECD	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/733,797	12/11/2003	3753	493	62791-702USPT	2	10	4

CONFIRMATION NO. 8190**UPDATED FILING RECEIPT*****OC000000012981045******OC000000012981045***William D. Wase
Jenkins & Gilchrist, P.C.
Suite 3200
1445 Ross Avenue
Dallas, TX 75202

Date Mailed: 06/17/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)*Johnston*
Thomas Johnson, Lubbock, TX;
Timothy Vaughn, Lubbock, TX;**Domestic Priority data as claimed by applicant**

This appln claims benefit of 60/432,494 12/11/2002

Foreign Applications**If Required, Foreign Filing License Granted: 03/18/2004****Projected Publication Date: 09/23/2004****Non-Publication Request: No****Early Publication Request: No****** SMALL ENTITY ******Title**

Method device for heating fluids



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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/733,797	12/11/2003	3742	793	52791-702USPT	2	10	4

24238
JENKENS & GILCHRIST
1401 MCKINNEY
SUITE 2600
HOUSTON, TX 77010

153
See Attached POA

CONFIRMATION NO. 8190
CORRECTED FILING RECEIPT
OC000000017854256
OC000000017854256

Date Mailed: 01/17/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) Johnston
Thomas ~~Johnston~~, Lubbock, TX;
Timothy Vaughn, Lubbock, TX;

Power of Attorney:
William Wiese-45217

Domestic Priority data as claimed by applicant
This appln claims benefit of 60/432,494 12/11/2002

Foreign Applications

If Required, Foreign Filing License Granted: 03/18/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/733,797**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
DECLARATION FOR PATENT APPLICATION

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am a co-inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD DEVICE FOR HEATING FLUIDS

the specification of which was with the United States Patent and Trademark Office filed on December 11, 2003 under Serial No 10/733797.

In the event that the filing date and/or Application No. are not entered above at the time I execute this document, and if such information is deemed necessary, I hereby authorize and request my attorneys/agent(s) at DuBois, Bryant, Campbell & Schwartz, LLP, 700 Lavaca Street, Suite 1300, Austin, Texas 78701, to insert above the filing date and/or Application No. of said application.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

- ☒ no such foreign applications have been filed
- ☐ such foreign application have been filed as follows:

Attorney Docket No.: 1153-702USPT

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119
			___ Yes No ___
			___ Yes No ___
			___ Yes No ___

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

☐ no such U.S. provisional applications have been filed.

☒ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
60/432494	12/11/2002	<u> x </u> Yes No ___
		___ Yes No ___
		___ Yes No ___

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

Attorney Docket No.: 1153-702USPT

☒ no such U.S./PCT applications have been filed.☐ such U.S./PCT application have been filed as follows:

Application Number	Relationship	Parent Application	Date of Filing

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

William D. Wiese of the firm DuBois, Bryant, Campbell & Schwartz, LLP, 700 Lavaca Street, Suite 1300, Austin, Texas 78701 my attorney at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from William D. Wiese as to any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

Please mail all correspondence to William D. Wiese, whose address is:

DuBois, Bryant, Campbell & Schwartz, LLP
700 Lavaca Street, Suite 1300
Austin, Texas 78701

Please direct telephone calls to: William D. Wiese at (512) 381-8028.

Please direct facsimiles to: (512) 381-8029.

Attorney Docket No.: 1153-702USPT

Full name of sole or first inventor Thomas Johnston	
Sole or first inventor's signature <i>Thomas Johnston</i>	Date <i>12/12/2005</i>
Residence Lubbock, Texas	
Citizenship US	
Mailing Address 4315 18th Street Lubbock, Texas 79416	

Attorney Docket No.: 1153-702USPT

☒ no such U.S./PCT applications have been filed.☐ such U.S./PCT application have been filed as follows:

Application Number	Relationship	Parent Application	Date of Filing

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POA → I hereby appoint:

William D. Wiese of the firm DuBois, Bryant, Campbell & Schwartz, LLP, 700 Lavaca Street, Suite 1300, Austin, Texas 78701 my attorney at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from William D. Wiese as to any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

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